

Message Text

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16

ACTION NEA-09

INFO OCT-01 ISO-00 SCS-03 SCA-01 L-02 SY-04 SP-02 SS-15

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FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 6664

LIMITED OFFICIAL USE NEW DELHI 1578

THE FOL TELEGRAM SENT ACTION NEW DELHI 02/03/75

FM CALCUTTA IS REPEATED TO YOU--QUOTE:

LIMITED OFFICIAL USE CALCUTTA 0284

E.O. 11652: N/A

TAGS: PFOR, CASC, IN

SUBJ: HARCOS:FLETCHER - CALL ON CHIEF JUSTICE MITRA

REF: CALCUTTA 0229

1. DURING FAREWELL CALL ON CHIEF JUSTICE MITRA JANUARY 31, CONSUL GENERAL PICKERING MENTIONED RECENT PROCEDURAL DELAYS IN HANDLING APPEALS RELATING TO HARCOS/FLETCHER CASE FROM CITY SESSIONS TO THE HIGH COURT. CHIEF JUSTICE REPLIED BY DESCRIBING INCREASED LOAD ON THE JUDICIAL SYSTEM IMPOSED BY LARGE NUMBER OF MISA CASES AND LITIGATION ARISING OUT OF GOVERNMENT RICE LEVIES. HE SAID THIS CAME AT A TIME WHEN THERE WERE MANY VACANCIES AFFECTING VARIOUS BENCHES SO THAT PROCEDURES WERE INEVITABLY SLOWED.

2. ASKED ABOUT THE POSSIBLE IMPACT ON THE HARCOS/FLETCHER CASE OF THE TEMPORARY TRANSFER OF JUDGE CHAUDHURI, CHIEF JUSTICE SAID CHAUDHURI'S TRANSFER WAS MADE NECESSARY BY THE ILLNESS OF THE CHIEF METROPOLITCAN MAGISTRATE WHOM CHAUDHURI WILL TEMPORARILY REPLACE. THE CHIEF METROPOLITAN MAGISTRATE'S CONDITION IS APPARENTLY QUITE SERIOUS, AND IT IS

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THEREFORE ANTICIPATED THAT THE ASSIGNMENT OF JUDGE CHAUDHURI

TO HIS POSITION MIGHT BE LENGTHY. HE SAID THAT A NEW JUDGE
WOULD BE NAMED TO HEAR THE HARCOS/FLETCHER CASE. IF THIS
CAUSED "INORDINATE" DELAYS, WE SHOULD FEEL FREE TO COME TO
HIM ABOUT IT AND HE WOULD TRY TO HELP.
ROSSELOT

UNQUOTE.
SCHNEIDER

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NNN

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